

APPEAL, CASREF

**United States District Court  
District of Massachusetts (Boston)  
CIVIL DOCKET FOR CASE #: 1:04-cv-11431-GAO**

DuPont v. Nolan  
Assigned to: Judge George A. OToole, Jr  
Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

Date Filed: 06/17/2004  
Date Terminated: 02/26/2008  
Jury Demand: None  
Nature of Suit: 530 Habeas Corpus  
(General)  
Jurisdiction: Federal Question

**Petitioner**

**Michael Kevin DuPont**

represented by **John A. Amabile**  
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V.

**Respondent**

**David Nolan**  
*Superintendent*

represented by **Cathryn A. Neaves**  
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Date Filed	#	Docket Text
06/17/2004	<u>1</u>	MOTION for Leave to Proceed in forma pauperis by Michael Kevin DuPont. (Jenness, Susan) (Entered: 06/23/2004)
06/17/2004	<u>2</u>	PETITION for writ of habeas corpus pursuant to 28:2254 , filed by Michael Kevin DuPont.(Jenness, Susan) (Entered: 06/23/2004)
06/17/2004		If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Bowler. (Jenness, Susan) (Entered: 06/23/2004)
06/17/2004	<u>3</u>	MOTION to Assignment of Counsel to Expedite Bail Release and for Necessary Evidentiary Hearing by Michael Kevin DuPont.(Weissman, Linn) Additional attachment(s) added on 6/28/2004 (Jenness, Susan). (Entered: 06/25/2004)
06/23/2004		Case undergoing preliminary screening (Jenness, Susan) (Entered: 06/23/2004)
06/24/2004	<u>4</u>	Judge George A. O'Toole Jr.: SERVICE ORDER entered re: 2254 Petition. Order entered pursuant to R.4 of the Rules governing Section 2254 cases for service on respondents. Answer/responsive pleading due w/in 20 days of rcpt of this order. cc/cl(Weissman, Linn) (Entered: 06/25/2004)
06/24/2004	<u>5</u>	Judge George A. O'Toole Jr.: ORDER entered granting <u>1</u> Motion for Leave to Proceed in forma pauperis. cc/cl (Weissman, Linn) (Entered: 06/25/2004)
06/24/2004	<u>6</u>	Judge George A. O'Toole Jr.: ORDER entered denying <u>3</u> petitioner's motions for appointment of counsel and for an evidentiary hearing without prejudice to the re-filing of these motions after the respondent has filed a responsive pleading to the petition.cc/cl (Weissman, Linn) (Entered: 06/25/2004)
06/28/2004		Documentation attached to motion No. 3 for appointment of counsel is not scannable however is attached in hard copy to motion. (Jenness, Susan) (Entered: 06/28/2004)

07/02/2004	<u>7</u>	MOTION for Reconsideration of Counsel Assignment on July 19, 2004 and to Deny Respondent's Time Extensions or to Transfer Case to Judge Lindsay by Michael Kevin DuPont.(Barrette, Mark) (Entered: 07/08/2004)
07/02/2004	<u>8</u>	EXHIBIT by Michael Kevin DuPont.***Too large to scan*** (Barrette, Mark) Additional attachment(s) added on 7/8/2004 (Barrette, Mark). (Entered: 07/08/2004)
07/02/2004	<u>9</u>	Verified MOTION for Bail Hearing and to Expedite Bail Release Based Upon Blakely v. Washington, 124 s. Ct. (2004)***Attachments too large to be Scanned*** by Michael Kevin DuPont.(Barrette, Mark) (Entered: 07/08/2004)
07/06/2004		Return receipt received for mail sent to Ms. Cathryn A. Neaves Delivered on 6/29/2004 (Barrette, Mark) (Entered: 07/06/2004)
07/06/2004		Return receipt received for mail sent to Mr. David Nolan Delivered on 6/29/04 (Barrette, Mark) (Entered: 07/06/2004)
07/15/2004	<u>12</u>	Document(s) submitted by Michael Kevin DuPont received for filing. Document received: State Appellee's Brief. (Barrette, Mark) (Entered: 07/21/2004)
07/16/2004	<u>10</u>	MOTION for Extension of Time to 8/11/04 to File Answer to <i>habeas corpus petition</i> by David Nolan.(Reardon, Susanne) (Entered: 07/16/2004)
07/16/2004	<u>11</u>	MOTION for Extension of Time to 8/11/04 to File Answer to <i>habeas corpus petition</i> by David Nolan.(Reardon, Susanne) (Entered: 07/16/2004)
08/06/2004	<u>13</u>	MOTION for Extension of Time to 8/20/04 to File Answer re <u>2</u> Petition for writ of habeas corpus (28:2254) by David Nolan.(Reardon, Susanne) (Entered: 08/06/2004)
08/09/2004		Judge George A. O'Toole Jr.: Electronic ORDER entered granting <u>10</u> Motion for Extension of Time, until 8/11/04, to Answer re <u>2</u> Petition for writ of habeas corpus (28:2254) David Nolan., terminating <u>11</u> Motion for Extension of Time to Answer re <u>2</u> Petition for writ of habeas corpus (28:2254) David Nolan. cc/cl (Lyness, Paul) (Entered: 08/09/2004)
08/12/2004	<u>14</u>	MOTION for Entry of Default by Michael Kevin DuPont. (Attachments: # <u>1</u> Affidavit For Entry of Default)(Barrette, Mark) (Entered: 08/17/2004)
08/17/2004	<u>19</u>	MOTION for Default Judgment and Remedy of Immediate Release or Bail as to Michael Kevin Dupont by Michael Kevin DuPont.(Barrette, Mark) (Entered: 08/30/2004)
08/17/2004	<u>20</u>	MOTION to Strike False Enlargement of Time Pleadings and Answer Whenever it is Untimely Filed <u>13</u> MOTION for Extension of Time to 8/20/04 to File Answer re <u>2</u> Petition for writ of habeas corpus (28:2254) by Michael Kevin DuPont.(Barrette, Mark) (Entered: 08/30/2004)
08/17/2004	<u>21</u>	MOTION for Blakely v. Washington Summary Judgment Release on Grounds 3,6,7,15 and Dretke v. Haley Findings/Bail on Sentence Enhancement Actual Innocence Grounds 4 and 5 by Michael Kevin DuPont.(Barrette, Mark) (Entered: 08/30/2004)
08/20/2004	<u>15</u>	ANSWER to Complaint <i>habeas corpus petition</i> by David Nolan.(Reardon, Susanne) (Entered: 08/20/2004)
08/20/2004	<u>16</u>	MOTION to Dismiss <i>petition for writ of habeas corpus</i> by David Nolan.(Reardon, Susanne) (Entered: 08/20/2004)



08/20/2004	<u>17</u>	MEMORANDUM in Support re <u>16</u> MOTION to Dismiss <i>petition for writ of habeas corpus</i> filed by David Nolan. (Reardon, Susanne) (Entered: 08/20/2004)
08/23/2004	<u>18</u>	Supplemental ANSWER to Complaint(Volume 1&2***Too Large to be Scanned***) by David Nolan.(Barrette, Mark) (Entered: 08/24/2004)
08/24/2004	<u>22</u>	Petitioner's Filing of Grievance Appeal # 4420 Concession by Respondent Nolan's 8/3/04 Exhibit Stipulating Full Exhaustion of Apprendi-Based Blakely v. Washington Grounds 3,6,7 and 15 Allowing Partial Summary Judgment Immediate Release from Michael Kevin Dupont. (Barrette, Mark) (Entered: 08/30/2004)
08/25/2004	<u>23</u>	Opposition re <u>16</u> MOTION to Dismiss <i>petition for writ of habeas corpus</i> filed by Michael Kevin DuPont. (Barrette, Mark) (Entered: 08/31/2004)
08/31/2004	<u>24</u>	Petitioners Decisional Support for Summarily Denying the Motion to Dismiss from Michael Kevin Dupont. (Barrette, Mark) (Entered: 08/31/2004)
09/09/2004	<u>26</u>	MOTION Investigation of State Atty. General's Office Targeting Some Federal Judges For Omission of Collateral Exhaustion Records by Michael Kevin DuPont. (Barrette, Mark) (Entered: 09/15/2004)
09/09/2004	<u>27</u>	NOTICE of Intent To File Dupont v O'Toole Bivens Complaint For Untrained Judge Failing To Compel Respondent to File 01-P-1792 Exhaustion Record and Delay Supporting Judge O'Toole Disqualifying Himself by Michael Kevin DuPont (Barrette, Mark) (Entered: 09/15/2004)
09/09/2004	<u>28</u>	Demand for Expedited Decision on Merits and Assigned Counsel To Facilitate Release or for Judge O'Toole to Disqualify Himself by Michael Kevin DuPont. (Barrette, Mark) (Entered: 09/15/2004)
09/09/2004	<u>30</u>	Verified Demand For Denial of Respondent's Motion to Dismiss and for Exposure of AAG Susan Reardon's Misconduct or for Judge O'Toole to Disqualify Himself by Michael Kevin DuPont to <u>16</u> MOTION to Dismiss <i>petition for writ of habeas corpus</i> . (Barrette, Mark) (Entered: 09/15/2004)
09/15/2004	<u>25</u>	MOTION to Strike Respondents Answer, Supplemental Answer and Motion To Dismiss for Bad faith Omission of 01-P-1792 Exhaustion Record and False Answer Denial of Such Knowledge <u>15</u> Answer to Complaint, <u>16</u> MOTION to Dismiss <i>petition for writ of habeas corpus</i> , <u>18</u> Answer to Complaint by Michael Kevin DuPont.(Barrette, Mark) (Entered: 09/15/2004)
09/15/2004	<u>29</u>	Third MOTION to Appoint Counsel To Expose the Respondent's Misconduct and Expedite Hearings For Release Within Six Months Remaining To be served on Twenty Year Sentence by Michael Kevin DuPont.(Barrette, Mark) (Entered: 09/15/2004)
09/20/2004	<u>31</u>	Respondents 01-P-1792 BRIEF Exhibit Opposing Grounds 1,3,4,5,6,7, &15 on the Merits and not contesting State Habeas Corpus Exhaustion Remedy by Michael Kevin DuPont to <u>16</u> MOTION to Dismiss <i>petition for writ of habeas corpus</i> . (Barrette, Mark) (Entered: 09/23/2004)
09/20/2004	<u>32</u>	State Exhaustion 01-P-1792 Appendix Volume IV Transcripts by Michael Kevin DuPont. (Barrette, Mark) (Entered: 09/23/2004)
11/19/2004		Judge George A. O'Toole Jr.: ORDER entered- Upon review of the file, this action is referred to the Magistrate Judge for appointment of counsel only.(Lyness, Paul) (Entered: 11/19/2004)

11/19/2004	<u>33</u>	Judge George A. O'Toole Jr.: ORDER entered REFERRING CASE to Magistrate Judge Marianne B. Bowler Referred for: to appoint CJA Attorney (Attachments: # 1 Attorney assignment request# 2 Appointment of Counsel)(Edge, Eugenia) (Entered: 11/22/2004)
01/04/2005		Judge George A. O'Toole Jr.: Electronic ORDER entered terminating <u>13</u> Motion for Extension of Time to Answer (Lyness, Paul) Modified on 1/5/2005 to add electronic to text (Edge, Eugenia). (Entered: 01/04/2005)
01/06/2005	<u>34</u>	MOTION for clerk Mark Barrett to be trained or for sanctions against respondent for previously missing appendix volumes one, two and three mailed in september and atty. Amabile inquiry by David Nolan.(Edge, Eugenia) (Entered: 01/10/2005)
01/06/2005	<u>35</u>	APPENDIX Volume One (document too large too scan) by Michael Kevin DuPont. (Edge, Eugenia) (Entered: 01/10/2005)
01/06/2005	<u>36</u>	APPENDIX Volume two (document too large to scan) by Michael Kevin DuPont. (Edge, Eugenia) (Entered: 01/10/2005)
01/06/2005	<u>37</u>	APPENDIX Volume three (document too large to scan) by Michael Kevin DuPont. (Edge, Eugenia) (Entered: 01/10/2005)
01/10/2005	<u>38</u>	Petitioner's Third Demand for Rulings Supported by Judge Donahue's Decision that c.248 sec. 1 was Correct for Exhaustion From Michael Kevin Dupont (Lyness, Paul) (Entered: 01/11/2005)
01/11/2005	<u>39</u>	Emergency MOTION for Court to Compel C.J.A. Attorney John Amabile to Communicate with Petitioner or for Reassignment of C.J.A. Counsel by Michael Kevin DuPont.(Lyness, Paul) (Entered: 01/11/2005)
01/19/2005		NOTICE of Hearing: Status Conference set for 1/27/2005 02:30 PM in Courtroom 9 before Judge George A. O'Toole Jr.. Please mark your calendars accordingly. cc/cl (Lyness, Paul) (Entered: 01/19/2005)
01/21/2005	<u>40</u>	MOTION Blakely v Washington, 124 S.Ct 2531 (2004) Legal Ground Motion for Immediate Bail and Notice of Complaint against Judge O'Toole for untimely Rulings and Covering up for Prosecutors. by Michael Kevin DuPont.(Lyness, Paul) Additional attachment(s) added on 1/21/2005 (Lyness, Paul). (Entered: 01/21/2005)
01/21/2005	<u>41</u>	MOTION United States v Booker Motion for Immediate Bail, Partial Summary Judgment and Later Evidentiary Hearing Scheduling by Michael Kevin DuPont. (Lyness, Paul) (Entered: 01/21/2005)
01/21/2005	<u>42</u>	WRIT of of Habeas Corpus issued (Lyness, Paul) (Entered: 01/24/2005)
01/27/2005		Electronic Clerk's Notes for proceedings held before Judge George A. O'Toole Jr.: Status Conference held on 1/27/2005. Motion hearing is scheduled for Monday, February 7, 2005 at 2:00pm. (Court Reporter Shelly Killian.) (Lyness, Paul) (Entered: 01/28/2005)
01/31/2005		**Entry made in error see notice of correction by court staff****WRIT of habeas corpus issued (Lyness, Paul) Additional attachment(s) added on 2/2/2005 (Lyness, Paul). Modified on 2/3/2005 (Edge, Eugenia). (Entered: 02/02/2005)
01/31/2005	<u>43</u>	WRIT of habes corpus issued. (Lyness, Paul) (Entered: 02/02/2005)
02/01/2005	<u>44</u>	MOTION for Bail from Present Sentence to 30 Day Consecutive Sentence on 2/7/05 Preventing Mootness by Michael Kevin DuPont.(Lyness, Paul) (Entered: 02/01/2005)



		02/08/2005)
02/03/2005		Notice of correction to docket made by Court staff. Filed on 1/31/05: WRIT of habeas corpus issued (Lyness, Paul) Additional attachment(s) added on 2/2/2005 (Lyness, Paul). (Entered: 02/02/2005). Filed in error. Correct entry is #43. (Edge, Eugenia) (Entered: 02/03/2005)
02/07/2005		Electronic Clerk's Notes for proceedings held before Judge George A. O'Toole Jr.: Motion Hearing held on 2/7/2005 re <u>16</u> MOTION to Dismiss <i>petition for writ of habeas corpus</i> filed by David Nolan,. The court takes the matter under advisement. (Court Reporter Richard Romanow.) (Lyness, Paul) (Entered: 02/08/2005)
02/07/2005	<u>49</u>	NOTICE of Appearance by Cathryn A. Neaves on behalf of David Nolan (Abaid, Kim) (Entered: 02/08/2005)
02/07/2005	<u>50</u>	MOTION to Withdraw as Attorney by Michael Kevin DuPont.(Abaid, Kim) (Entered: 02/08/2005)
02/07/2005	<u>51</u>	Letter/request (non-motion) from Michael Dupont for copy of docket sheet. (Edge, Eugenia) (Entered: 02/22/2005)
02/07/2005	<u>52</u>	MOTION to delete grounds two and fifteen with preliminary reasons why appendi related grounds shall not become moot by Michael Kevin DuPont. (Attachments: # <u>1</u> petitioner's position on options for deletion of grounds)(Edge, Eugenia) (Entered: 02/22/2005)
02/07/2005	<u>53</u>	MOTION to Appoint/assign "new competent" CJA Counsel by Michael Kevin DuPont.(Edge, Eugenia) Modified on 2/22/2005 to correct filing date. (Edge, Eugenia). (Entered: 02/22/2005)
02/07/2005	<u>54</u>	AFFIDAVIT of Michael Dupont in Support re <u>53</u> MOTION to Appoint Counsel. (Attachments: # <u>1</u> affidavit of Leonard Jackson in support of Motion to assignment of new competent CJA counsel # <u>2</u> Affidavit of Jack Beliard in support of Motion to assignment of new competent CJA counsel)(Edge, Eugenia) (Entered: 02/22/2005)
02/08/2005	<u>45</u>	Letter/request (non-motion) from Michael Kevin DuPont. Request for Leave to Be Heard at 2/7/05 Hearing on Need for Assignment of Diligent/competent C.J.A. Counsel and Motion for Bail Release to 30 Day Consecutive Sentence on 2/7/05 for Purpose of Preventing Mootness of Grounds. (Lyness, Paul) Additional attachment (s) added on 2/8/2005 (Lyness, Paul). (Entered: 02/08/2005)
02/08/2005	<u>46</u>	C.J.A.EXHIBIT Example of John Amabile's Ineffective Assistance Drafted by Mike Dupont a few weeks ago, for Amabile's other client victim to file, concerning Amabiles Lack of Legal Knowledge in Ground Two ( pages 14-15), then Ground Three Amabile's Jury Instructions failure to object ( pages 31) and Ground Four (pages 33-38) concerning Amabile's failure to prepare for trial by Michael Kevin DuPont.. (Lyness, Paul) Additional attachment(s) added on 2/8/2005 (Lyness, Paul). (Entered: 02/08/2005)
02/08/2005	<u>47</u>	Formal Complaint for removal of so-called Attorney John Amabile from Federal C.J.A. Assignment List, CACS Murder List, and for board of bar Overseers Investigation, with reassignment of Competent Counsel from Michael Kevin DuPont. (Lyness, Paul) Additional attachment(s) added on 2/8/2005 (Lyness, Paul). (Entered: 02/08/2005)
02/08/2005	<u>48</u>	NOTICE of Attorney John Amabile's Conflict of Interest, C.J.A. and B.B.O. Complaint Exhibits, and Local Rule 7.1 (A)(3) Request for Decisions on all Pending

		Unresolved Motions by Michael Kevin DuPont (Lyness, Paul) Additional attachment(s) added on 2/8/2005 (Lyness, Paul). (Entered: 02/08/2005)
02/10/2005		Judge George A. O'Toole Jr.: Electronic ORDER entered granting 50 Motion to Withdraw as Attorney. (Lyness, Paul) (Entered: 02/10/2005)
03/31/2005		Judge George A. O'Toole Jr.: Electronic ORDER entered denying 7 Motion for Reconsideration, denying 9 Motion to Expedite, denying 14 Motion for Entry of Default, denying 19 Motion for Default Judgment, denying 20 Motion to Strike, denying 21 Motion for Summary Judgment without prejudice, denying 25 Motion to Strike, denying 26 Motion, finding as moot 29 Motion to Appoint Counsel, finding as moot 34 Motion, denying 39 Motion to Compel, denying 40 Motion, denying 41 Motion, granting 44 Motion, denying 53 Motion to Appoint Counsel. (O'Toole, George) (Entered: 03/31/2005)
04/20/2005		Mail Returned as Undeliverable. Mail sent to Michael Kevin Dupont returned as "released". (Edge, Eugenia) (Entered: 04/20/2005)
04/25/2005	55	Judge George A. O'Toole Jr.: ORDER entered. REFERRING CASE to Magistrate Judge Marianne B. Bowler Referred for: Appointment of CJA Attorney(Lyness, Paul) (Entered: 04/25/2005)
04/27/2005	56	Magistrate Judge Marianne B. Bowler : ORDER entered; Appointment of Attorney Lois M. Lewis for Michael Kevin DuPont (Saccoccio, Dianalynn) (Entered: 04/27/2005)
04/27/2005		Magistrate Judge Marianne B. Bowler no longer assigned to the case. (Saccoccio, Dianalynn) (Entered: 04/27/2005)
10/13/2005		NOTICE of Hearing: Status Conference set for 10/20/2005 02:00 PM in Courtroom 9 before Judge George A. O'Toole Jr.. Please mark your calendars accordingly. (Lyness, Paul) (Entered: 10/13/2005)
10/20/2005	57	NOTICE of Appearance by Randall E. Ravitz on behalf of David Nolan (Ravitz, Randall) (Entered: 10/20/2005)
10/20/2005		ElectronicClerk's Notes for proceedings held before Judge George A. O'Toole Jr.: Status Conference held on 10/20/2005. Plaintiff to request court transcript of previous hearing. (Court Reporter Debra Joyce.) (Lyness, Paul) (Entered: 10/20/2005)
10/20/2005		NOTICE of Hearing: Status Conference set for 12/14/2005 02:00 PM in Courtroom 9 before Judge George A. O'Toole Jr.. Please mark your calendars accordingly. (Lyness, Paul) (Entered: 10/20/2005)
10/21/2005	58	Assented to MOTION for Costs <i>for preparation of hearing transcript</i> by Michael Kevin DuPont.(Lewis, Lois) (Entered: 10/21/2005)
10/24/2005		Judge George A. O'Toole Jr.: ElectronicORDER entered granting 58 Motion for Costs (Lyness, Paul) (Entered: 10/24/2005)
12/09/2005	59	TRANSCRIPT of Hearing held on February 7, 2005 before Judge O'Toole. Court Reporter: Richard H. Romanow. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter at 617/737-0370 or the Clerk's Office. (Scalfani, Deborah) (Entered: 12/09/2005)
12/14/2005		ElectronicClerk's Notes for proceedings held before Judge George A. O'Toole Jr.:



	-	Status Conference held on 12/14/2005. Plaintiff is in receipt of the 2/7/05 transcript. The plaintiff has 30 days to present any additional filings. (Court Reporter Shelly Killian.) (Lyness, Paul) (Entered: 12/14/2005)
01/25/2006	60	Letter/request (non-motion). (Lewis, Lois) (Entered: 01/25/2006)
01/27/2006		NOTICE of Hearing: Status Conference set for 2/23/2006 02:00 PM in Courtroom 9 before Judge George A. O'Toole Jr.. Please mark your calendars accordingly. (Lyness, Paul) (Entered: 01/27/2006)
02/23/2006		ElectronicClerk's Notes for proceedings held before Judge George A. O'Toole Jr.: Status Conference held on 2/23/2006. A motion hearing is scheduled for May 3, 2006 at 2:15pm in Courtroom 9 on the 3rd floor. (Court Reporter Shelly Killian.) (Lyness, Paul) (Entered: 02/23/2006)
02/23/2006		ELECTRONIC NOTICE of Hearing on Motion <u>16</u> MOTION to Dismiss <i>petition for writ of habeas corpus</i> , <u>52</u> MOTION to delete grounds two and fifteen with preliminary reasons why appendi related grounds shall not become moot: Motion Hearing set for 5/3/2006 02:15 PM in Courtroom 9 before Judge George A. O'Toole Jr.. (Lyness, Paul) Modified on 2/24/2006 (Edge, Eugenia). (Entered: 02/23/2006)
05/03/2006		ElectronicClerk's Notes for proceedings held before Judge George A. O'Toole Jr.: Motion Hearing held on 5/3/2006 re <u>52</u> MOTION to delete grounds two and fifteen with preliminary reasons why appendi related grounds shall not become moot filed by Michael Kevin DuPont,, <u>16</u> MOTION to Dismiss <i>petition for writ of habeas corpus</i> filed by David Nolan. The court GRANTS document(#52)as non-exhausted. The court DENIES the motion to dismiss( #16). Petitioner to file brief in support of petition by 8/4/06; Opposition to be filed by 10/6/06; Any reply should be filed within 2 weeks., Motions terminated: <u>16</u> MOTION to Dismiss <i>petition for writ of habeas corpus</i> filed by David Nolan,, <u>52</u> MOTION to delete grounds two and fifteen with preliminary reasons why appendi related grounds shall not become moot filed by Michael Kevin DuPont,. (Court Reporter Shelly Killian.) (Lyness, Paul) (Entered: 05/04/2006)
08/01/2006	61	Assented to MOTION to Continue <i>to file memorandum</i> by Michael Kevin DuPont. (Lewis, Lois) (Entered: 08/01/2006)
08/08/2006		Judge George A. O'Toole Jr.: Electronic ORDER entered granting <u>61</u> Motion to Continue (Lyness, Paul) (Entered: 08/08/2006)
08/09/2006	62	BRIEF by Michael Kevin DuPont <i>in support of application for writ of habeas corpus</i> . (Lewis, Lois) (Entered: 08/09/2006)
10/06/2006	63	MEMORANDUM OF LAW by David Nolan to <u>62</u> Brief. (Attachments: # <u>1</u> Exhibit Certificate of Release)(Reardon, Susanne) (Entered: 10/06/2006)
10/16/2006	64	<b>**See notice of correction dated 10/17/06**</b> MOTION to Continue <i>to file reply to government's memorandum in opposition to habeas corpus petition</i> by Michael Kevin DuPont.(Lewis, Lois) Modified on 10/17/2006 (Edge, Eugenia). (Entered: 10/16/2006)
10/16/2006	65	MOTION for Extension of Time to October 27, 2006 to File Response/Reply by Michael Kevin DuPont. (Edge, Eugenia) (Entered: 10/17/2006)
10/17/2006		Notice of correction to docket made by Court staff. Correction: Entry #64 Motion to Continue corrected because: Should have been docketed as Motion for extension of time. Motion #64 terminated. (Edge, Eugenia) (Entered: 10/17/2006)



10/27/2006	<u>66</u>	**See notice of correction dated 10/30/06** MOTION to Continue <i>date for filing reply memorandum</i> by Michael Kevin DuPont.(Lewis, Lois) Modified on 10/30/2006 (Edge, Eugenia). (Entered: 10/27/2006)
10/27/2006	<u>67</u>	MOTION for Extension of Time to October 31, 2006 to File Response/Reply by Michael Kevin DuPont.(Edge, Eugenia) (Entered: 10/30/2006)
10/30/2006		Notice of correction to docket made by Court staff. Correction: Entry #66 (Incorrectly filed as Motion to Continue) corrected because: Should have been filed as Motion for extension to reply. Redocketed see entry #67. (Edge, Eugenia) (Entered: 10/30/2006)
10/31/2006		Judge George A. O'Toole Jr.: Electronic ORDER entered granting Nunc Pro Tunc 65 Motion for Extension of Time to File Response/Reply, granting <u>67</u> Motion for Extension of Time to File Response/Reply Responses due by 10/31/2006 (Lyness, Paul) (Entered: 10/31/2006)
10/31/2006	<u>68</u>	Response by Michael Kevin DuPont <i>to government's opposition to habeas corpus petition</i> . (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit)(Lewis, Lois) (Entered: 10/31/2006)
05/18/2007		ELECTRONIC NOTICE of Hearing :Hearing on the petition set for 7/16/2007 02:30 PM in Courtroom 9 before Judge George A. O'Toole Jr.. Please mark your calendars accordingly. (Lyness, Paul) (Entered: 05/18/2007)
07/16/2007		Electronic Clerk's Notes for proceedings held before Judge George A. O'Toole Jr.: Hearing re Hearing on the Merits of the Petition held on 7/16/2007. The court takes the matter under advisement. (Court Reporter Marie Cloonan.) (Lyness, Paul) (Entered: 07/16/2007)
07/18/2007	<u>69</u>	Letter/request (non-motion) from petitioner, Michael Dupont by Lois Lewis. (Attachments: # <u>1</u> # <u>2</u> )(Lewis, Lois) (Entered: 07/18/2007)
01/02/2008	<u>70</u>	Letter/request (non-motion) from petitioner, Michael DuPont <i>by</i> . (Lewis, Lois) (Entered: 01/02/2008)
02/19/2008	<u>71</u>	Letter/request (non-motion) from Michael DuPont, Petitioner. (Lewis, Lois) (Entered: 02/19/2008)
02/25/2008	<u>72</u>	Judge George A. OToole, Jr: OPINION AND ORDER entered. re <u>2</u> Petition for writ of habeas corpus (28:2254) filed by Michael Kevin DuPont (Lyness, Paul) (Entered: 02/26/2008)
02/26/2008	<u>73</u>	Judge George A. OToole, Jr: ORDER entered. JUDGMENT in favor of Respondent against Petitioner(Lyness, Paul) (Entered: 02/26/2008)
03/25/2008	<u>74</u>	MOTION for Certificate of Appealability by Michael Kevin DuPont.(Lewis, Lois) (Entered: 03/25/2008)
03/25/2008	<u>75</u>	Memorandum in Support re <u>74</u> MOTION for Certificate of Appealability filed by Michael Kevin DuPont. (Lewis, Lois) Modified on 3/27/2008 (Edge, Eugenia). (Entered: 03/25/2008)
03/27/2008		Notice of correction to docket made by Court staff. Correction: Entry #75 filed as Addendum to Motion/Application for Certificate of Appealability corrected because: to Modify entry to match title of document 'Memorandum in Support' (Edge, Eugenia) (Entered: 03/27/2008)
04/22/2008	<u>76</u>	Judge George A. OToole, Jr: REVISED OPINION AND ORDER entered re <u>72</u>

		Order. REVISIONS: Correction of Typographical Errors. (Edge, Eugenia) (Entered: 04/22/2008)
04/23/2008	<u>77</u>	Judge George A. OToole, Jr: ORDER entered denying <u>74</u> Motion for Certificate of Appealability (Lyness, Paul) (Entered: 04/23/2008)
05/01/2008	<u>78</u>	<i>Petitioner's</i> NOTICE OF APPEAL to the Federal Circuit as to <u>76</u> Order, <u>77</u> Order on Motion for Certificate of Appealability by Michael Kevin DuPont. Appeal Record due by 5/21/2008. (Lewis, Lois) (Entered: 05/01/2008)
05/01/2008	<u>79</u>	NOTICE OF APPEAL as to <u>77</u> Order on Motion for Certificate of Appealability, <u>73</u> Judgment by Michael Kevin DuPont NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at <a href="http://www.ca1.uscourts.gov/clerks/transcript.htm">http://www.ca1.uscourts.gov/clerks/transcript.htm</a> MUST be completed and submitted to the Court of Appeals. Appeal Record due by 5/21/2008. (Edge, Eugenia) (Entered: 05/05/2008)
05/05/2008		Notice of correction to docket made by Court staff. Correction: Docket Entry #78 corrected because: Electronically filed Notice of Appeal to the Federal Circuit. Should have been filed to the First Circuit. (Edge, Eugenia) (Entered: 05/05/2008)